

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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R'KES STARLING,

Plaintiff,

-against-

23-cv-8377 (PKC)

ORDER

BLULINE TEAM, INC.,

Defendant.

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CASTEL, U.S.D.J.

Plaintiff seeks to compel a Rule 30(b)(6) deposition of the corporate defendant and an extension of the fact discovery cut off in order to do so. (ECF 19.) Defendant opposes the request principally because it represents a change of position on the part of the plaintiff's counsel from the position that plaintiff did not need a deposition of defendant and that the change is motivated by defendant's taking of plaintiff's deposition. (ECF 20.) It also asserts that the deposition is unneeded, is not proportional to the needs of the case and is designed to harass. (Id.)

Plaintiff seeks to compel a further response to RFP No. 3. (ECF 19.) The Court understands defendant's response to be that it will produce all non-privileged, non-work product documents responsive to the request. (ECF 20.)

The Court rules as follows:

1. On or before May 10, 2024, defendant shall produce a witness for the Rule 30(b)(6) deposition. The single deposition is not disproportional to the needs of the case and does not appear to be for the purpose of harassment.
2. The fact discovery period is extended to May 10, 2024 for the sole purpose of the Rule 30(b)(6) deposition referred to in paragraph 1.
3. In view of the representations of defendant the motion to compel a further response to RFP No. 3 is denied without prejudice.

The Clerk is requested to terminate the Letter Motion (ECF 19.)

SO ORDERED.



P. Kevin Castel
P. Kevin Castel
United States District Judge

Dated: New York, New York
April 12, 2024